

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re: Daily Harvest, Inc. : 22cv5987 (DLC); 23cv1607 (DLC);  
Products Liability Litigation : 23cv1617 (DLC); 23cv1620 (DLC);  
: 23cv1627 (DLC); 23cv1633 (DLC);  
: 23cv1640 (DLC); 23cv1643 (DLC);  
----- X 23cv1648 (DLC); 23cv1649 (DLC);  
23cv1651 (DLC); 23cv1653 (DLC);  
23cv1658 (DLC); 23cv1659 (DLC);  
23cv1660 (DLC); 23cv1662 (DLC);  
23cv1663 (DLC); 23cv1664 (DLC);  
23cv1666 (DLC); 23cv1668 (DLC);  
23cv1672 (DLC); 23cv1673 (DLC);  
23cv1681 (DLC); 23cv1683 (DLC);  
23cv1686 (DLC); 23cv1688 (DLC);  
23cv1692 (DLC); 23cv1694 (DLC);  
23cv1703 (DLC); 23cv1705 (DLC);  
23cv1709 (DLC); 23cv1712 (DLC);  
23cv1713 (DLC); 23cv1718 (DLC);  
23cv1721 (DLC); 23cv1725 (DLC);  
23cv1727 (DLC); 23cv1732 (DLC);  
23cv1734 (DLC); 23cv1736 (DLC);  
23cv1737 (DLC); 23cv1740 (DLC);  
23cv1741 (DLC); 23cv1742 (DLC);  
23cv1743 (DLC); 23cv1744 (DLC);  
23cv1745 (DLC); 23cv1748 (DLC);  
23cv1750 (DLC); 23cv2038 (DLC);  
23cv2466 (DLC); 23cv2607 (DLC);  
23cv3825 (DLC); 23cv3826 (DLC);  
23cv3827 (DLC); 23cv3828 (DLC);  
23cv3831 (DLC); 23cv4296 (DLC)

ORDER

DENISE COTE, District Judge:

A telephonic conference in this litigation was held on January 26, 2024. As set forth at the conference, it is hereby ORDERED that the following schedule shall apply to the further conduct of pretrial proceedings in this litigation:

1. Depositions in this litigation are paused until **February 9,**

2024, pending proceedings in front of Magistrate Judge Cave.

2. Depositions of defendants must occur by **March 29, 2024**.
3. Discovery of the plaintiffs of the first two bellwether cases, Teresa Beck v. Daily Harvest, et al. and Justin Albright on behalf of T.A. v. Daily Harvest, et al., including their independent medical examinations, shall occur by **May 24, 2024**.
4. The parties shall meet and confer as to next steps in the litigation of the remaining six bellwether cases and file a joint status letter by **May 24, 2024**.
5. Plaintiffs' identification of experts and disclosure of expert testimony conforming to the requirements of Rule 26(a)(2)(B), Fed. R. Civ. P., must occur by **June 21, 2024**. Defendants' identification of experts and disclosure of expert testimony must occur by **July 19, 2024**.
6. All discovery must be completed by **August 30, 2024**.
7. The following motions will be served by the dates indicated below.

Any dispositive motion, including Daubert motions:

- Motion served by **September 20, 2024**
- Opposition served by **October 11, 2024**
- Reply served by **October 25, 2024**

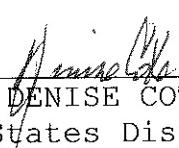
At the time any reply is filed, the moving party shall supply Chambers with two (2) courtesy copies of all motion papers by mailing or delivering them to the United States Courthouse, 500 Pearl Street, New York, New York.

8. In the event no motion is filed, the Joint Pretrial Order must be filed by **September 20, 2024**.

As described in greater detail in this Court's Individual Practices in Civil Cases, the following documents must be filed with the Pretrial Order: Voir Dire, Requests to Charge and a Memorandum of Law addressing all questions of

law expected to arise at trial. Any responsive papers are due one week thereafter. In the event a party does not file a Memorandum of Law, a responsive Memorandum of Law is not permitted.

Dated: New York, New York  
January 26, 2024

  
DENISE COTE

United States District Judge